

victim is subject not just simply to sexual assault but to other crimes in that incident, all those crimes are to be tried together. So the need to import crimes like murder and arson and other nonsexual related crimes is, in my view, not going to accomplish the goals that I think this Senate has been focused on, particularly over the last 6 months or so.

I intend to include the administration's proposals in next week's markup at the annual Defense bill, subject to amendment. I think that is important to know—subject to amendment, that the UC as proposed would not allow amendments. It would not allow colleagues on the floor to come up and say: I have a better idea. We will do that in the committee, as we have always done it in the committee or at least tried to do it in the committee.

I look forward to working with Senator GILLIBRAND and my other colleagues in the committee as we consider, debate, and vote on this and other proposals, but I still must reiterate my objection to the unanimous consent request.

I yield the floor.

The PRESIDING OFFICER. The objection is heard.

Mrs. GILLIBRAND. Mr. President.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. First of all, our bill is entitled "Military Justice Improvement and Increasing Prevention Act," so, as the chairman has requested, there is a great deal of prevention in this bill. And I dare say, if the chairman was going to include all of the recommendations of the IRC, we would have a very strong base bill on which to work from, but I do not have the sense that that will be done. In fact, I do not have the sense that all the recommendations are being considered, so I intend to offer an amendment that encompasses all of the recommendations.

Second, the reason why murder and other serious crimes must be included is because there are two challenges within the military: One, sexual assault cases are not handled properly, and unfortunately too few go to trial and too few end in conviction. The rate of going to trial and the rate of conviction has gone down.

The second reason is, if you only allow sexual assault cases to have a proper review, you will further marginalize survivors of sexual assault, who, more often than not, are women who report those cases, because receiving special treatment and a special legal system will not create fairness within the military for them.

Third, there is enormous evidence in the last 3 years of considerable racial bias against Black and Brown servicemembers. In the marines, if you are a Black man, you are up to 2.6 times more likely to be punished. That is a serious problem, and this is an issue that has been investigated for a long time.

So I believe that the bright line of felonies, as our allies have already done in the UK, Israel, Canada, Netherlands, Germany, and Australia, is meaningful because they did it for defendants' rights, they did it to professionalize their military justice system, and they did it to protect all servicemembers. Servicemembers in the U.S. military deserve nothing less.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TENTH ANNIVERSARY OF SOUTH SUDAN

Mr. MENENDEZ. Mr. President, I rise today to acknowledge the 10th anniversary of South Sudan's independence. July 9 is a bittersweet day for the resilient people of South Sudan. For decades, South Sudanese fought a brutal war with the government in Khartoum in which 2 million people lost their lives. After decades of bloody struggle, the parties to the conflict signed the 2005 Comprehensive Peace Agreement, CPA, which provided for self-determination for the South and paved the way for South Sudan's independence in 2011, with the diplomatic support of the United States and others in the international community.

Yet the promise of South Sudan's independence has turned into tragedy. Deep fault lines that emerged during the country's long struggle for independence, accentuated by rivalry and rent seeking among the country's corrupt political elite, brought about catastrophe. A little over 2 years after independence, 400,000 people were killed and more than 4 million were displaced during the 5-year civil war between forces loyal President Salva Kiir against those aligned with Vice-President Riek Machar. Unspeakable atrocities were committed against civilians during the conflict, including women and children. In 2017, the war induced a famine that brought hundreds of thousands more to the brink of disaster.

The United States and its international partners have invested heavily in diplomatic efforts to support and

end to the conflict in South Sudan. Despite failed cease-fire agreements and the intransigence of the warring parties, in 2018 regional leaders working through the InterGovernmental Authority on Development, IGAD, were finally able to obtain agreement on what was called the Revitalized Agreement on the Resolution of Conflict in South Sudan, R-ARCSS. Although far from ideal, the agreement lays out a framework for a peaceful resolution of the conflict, political reform, and democratic transition.

But implementation of the agreement remains slow, and South Sudan sits at a very dangerous crossroad. Responsible parties have failed to implement major provisions of the R-ARCSS, including those on power-sharing, constitutional development, security sector reform, economic issues, and transitional justice, or have reneged on their commitments. Nongovernments to the R-ARCSS continue to wage an active insurgency, particularly in Equatoria. Locally rooted communal violence is also rampant, fueled by the invisible hand of rival national political elites. Kiir's security apparatus continues to violate the human, civil, and political rights of the South Sudanese people. Overlaying all of these problems is an urgent humanitarian crisis—driven by conflict induced food insecurity, displacement, and COVID-19—made all the more worse by longstanding efforts by the Government of South Sudan to undercut humanitarian access.

It is clear that South Sudan's stalled peace process needs a reboot. The lack of progress on implementation of the R-ARCSS has created significant concern about elections now slated for 2022—if they are even held. And if they are held, without prior implementation of core components of the agreement and other key actions, the polls could be a flash point for conflict and violence.

In order to prevent this outcome, South Sudanese leadership, the United States, and international partners must take urgent action.

Political leadership in Juba must immediately organize a process for robust and inclusive negotiations over a new constitution in a process that involves all South Sudanese stakeholders, including civil society and holdout rebel groups. While I would not presume to dictate what the South Sudanese people themselves might decide, it seems to me that devolution of power from the national government to the states and local administration, and genuine power-sharing at the national level are necessary ingredients to avoid the winner-take-all calculus that has served as an incentive to take and hold on to central power at any cost.

Regional neighbors must act as well. Ongoing instability in East Africa, including the war in Tigray, a fragile transition in Sudan, and political turmoil in Somalia, has distracted regional actors who traditionally engage